

REMARKS

1. In response to the Office Action mailed June 28, 2004, Applicant respectfully requests reconsideration. Claims 41-64 were last presented for examination. All the claims were rejected in the outstanding Office Action. Claims 41, 57 and 58-64 have been amended. No claims have been canceled or added in this paper. Thus, upon entry of this paper, claims 41-64 will remain pending in this application. Of these twenty-four (24) claims, two (2) claims (claims 41 and 58) are independent. Based on the above Amendments and following Remarks, Applicant respectfully requests that the outstanding objections and rejections be reconsidered, and that they be withdrawn.

2. Independent claims 41 and 58 and dependent claims 42-57 and 59-64 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,374,293 to Dev, *et al.* (hereinafter, "Dev"). Applicant respectfully disagrees, and asserts that the art of record neither discloses, teaches, nor suggests Applicant's invention as recited in Applicant's independent claims 41 and 58. Taking claim 41, for example, claim 41, as amended above, recites, in part, "[a] method for allowing a user to determine a health status of network objects in a managed network environment, comprising: displaying a plurality of group view containers each corresponding to a group of network objects sharing at least one user-definable group view attribute, and providing for each group view container an indicator representative of the overall health status of its corresponding group of network objects based on a health status of each of the group's network objects; ... receiving a user selection to modify one of said plurality of group view containers; presenting to the user, in response to the user selection, a user interface listing the user-definable group view attributes for the selected group view container; and receiving via the user interface a user modification of one or more of the listed group view attributes." (*See*, Applicant's claim 41, above.)

3. Dev neither teaches nor suggests a user interface through which a user may view a list of group view attributes that the user may modify. In contrast, Dev teaches software modules that may be modified to alter the display of a network model. Specifically, Dev, the sole reference relied on by the Examiner, is directed to a network management system that includes a virtual network of models which represent network entities and relationships between network entities. Dev further discloses a view personality module 20 connected to a

user interface 20. This view personality module contains a collection of data modules which permit the user interface to provide different views of the network. (*See*, Dev at col. 3 ln. 66 – col. 4 ln. 2.) Dev also discloses that by altering the personality module, the user can specify customized views or displays. By changing a device personality module 22, the user can add new types of network devices to the system and by changing a protocol personality module 24, the system can operate with new or different network management protocols. (*See*, Dev at col. 4 lns. 11-13.) Software architecture for the system of Dev uses the C++ programming language, or a similar object oriented language. (*See*, Dev at col. 4 lns. 21-33.) Dev does not, however, disclose a user interface through which a user may view a list of group view attributes that the user may modify. Instead, Dev merely discloses software modules that may be modified to alter the display- Dev's "views" - of a network.

4. As such, Applicant respectfully submits that Dev neither teaches or suggests Applicant's invention as recited in amended claim 41. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw rejection of claim 41.

5. As noted, there are two independent claims pending in the present application. The second independent claim, claim 58, is a means plus function claim that has been similarly amended. Applicant, therefore, respectfully submits that independent claim 58 is likewise allowable over Dev for at least the same reasons as those discussed above. Specifically, Dev fails to teach or suggest "means for receiving a user selection to modify one of a plurality of group view containers; means for presenting to the user, in response to the user selection, a listing the user-definable group view attributes for the selected group view container; and means for receiving a user modification of one or more of the listed group view attributes." Reconsideration and withdraw of the rejection of claim 58 is, therefore, respectfully requested.

6. The foregoing Amendments include clarifying amendments to claims 57 and 64. Dev fails to teach or suggest modifying a menubar, popup menu, or toolbar of a user interface. As such, Applicant respectfully submits that claims 57 and 64 are allowable over Dev, for at least the additional reason that Dev does not teach or suggest "modifying, in accordance with the determined context information, at least one of a menubar, popup menu, or toolbar included in the user interface when the user-selected group view is selected by the user."

7. Applicant has also amended claims 59-64 to correct an error in the form of the preamble of these claims. In particular, the preamble of these claims has been amended so

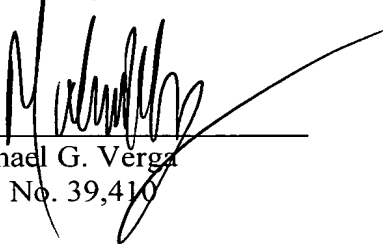
that they properly recite that they depend from a system claim rather than from a method claim.

8. Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 41-64 in condition for allowance. Applicant further submits that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

9. The dependent claims incorporate all of the subject matter of their respective independent claims and add additional subject matter which makes them a fortiori and independently patentable over the art of record. Accordingly, Applicant respectfully requests that the outstanding rejections of the dependent claims be reconsidered and withdrawn.

10. In view of the foregoing, this application should be in condition for allowance. A notice to this effect is respectfully requested.

Respectfully submitted,



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